

Form PTO-1390 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		ATTORNEY'S DOCKET NUMBER: P29777 U.S. APPLICATION NO. (If known, see 37 CFR 1.5): 10/575,900 CONFIRMATION NUMBER: 5555
INTERNATIONAL APPLICATION NO. PCT/JP2004/015671	INTERNATIONAL FILING DATE October 15, 2004	PRIORITY DATE CLAIMED October 15, 2003
TITLE OF INVENTION FLUORESCENT INDICATOR USING FRET		
APPLICANT(S) FOR DO/EO/US Atsushi MIYAWAKI and Takeharu NAGAI		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information.		
<ol style="list-style-type: none"> 1. <input type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371. 2. <input checked="" type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371. 3. <input type="checkbox"/> This is an express request to promptly begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (23) indicated below. 4. <input type="checkbox"/> The US has been elected (PCT Article 31). 5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) <ol style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). 6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371 (c)(2)). <ol style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154 (d) (4). 7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <ol style="list-style-type: none"> a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). "EXECUTED" 10. <input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)). 		
Items 11 to 22 below concern other document(s) or information included:		
11. Assignee: <u>RIKEN of Saitama, Japan and Japan Science and Technology Agency of Saitama, Japan</u>		
12. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.		
13. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.		
14. <input type="checkbox"/> A FIRST preliminary amendment. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment.		
15. <input type="checkbox"/> An Application Data Sheet under 37 C.F.R. 1.76.		
16. <input type="checkbox"/> A substitute specification.		
17. <input type="checkbox"/> A power of attorney and/or change of address letter.		
18. <input type="checkbox"/> Figure of Drawing to be published:		
19. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821-1.825.		
20. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154 (d) (4).		
21. <input type="checkbox"/> A second copy of the English language translation of the international of the international application under 35 U.S.C. 154 (d) (4).		
22. <input checked="" type="checkbox"/> Other items or information: Cover Letter PCT/DO/EO/905		

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)		INTERNATIONAL APPLICATION NO.		ATTORNEY'S DOCKET NUMBER	
10/575,900		PCT/JP2004/015671		P29777	
23 <input type="checkbox"/> The following fees are submitted: Basic national fee.....300.00				CALCULATIONS	PTO USE ONLY
				\$ 0.00	
24 <input type="checkbox"/> Examination Fee If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33 (1)-(4).....0.00 All other situations.....200.00				\$ 0.00	
25 <input type="checkbox"/> Search fee Search fee (37 CFR 1.445(a) (2)) has been paid on the international application to the USPTO as an International Searching Authority.....0.00 International Search Report prepared and provided to the Office.....400.00 All other situations.....500.00				\$ 0.00	
TOTAL 23, 24 and 25 =				\$ 0.00	
<input type="checkbox"/> Additional Fee for Specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in electronic medium). The fee is \$250.00 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
-100=	/50 =		x \$250.00	\$ 0.00	
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(h)).				\$130.00	
Claims	Number Filed	Number Extra	Rate		
Total Claims	22 - 22 =	0	x \$50.00	\$ 0.00	
Independent Claims	2 - 3 =	0	x \$200.00	\$ 0.00	
Multiple Dependent Claim(s) (if applicable)			+ \$360.00	\$ 0.00	
TOTAL OF ABOVE CALCULATIONS =				\$130.00	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$ 0.00	
SUBTOTAL =				\$130.00	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492 (i)).				\$ 0.00	
Extension of Time fee in the amount of \$				\$ 0.00	
TOTAL NATIONAL FEE =				\$130.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				\$ 0.00	
TOTAL FEES ENCLOSED =				\$130.00	
				Amount to be refunded	\$
				Charged	\$
a. <input checked="" type="checkbox"/> A payment in the amount of \$ <u>130.00</u> to cover the above fees is included.					
b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees.					
c. <input checked="" type="checkbox"/> The U.S. Patent and Trademark Office is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>19-0089</u> .					
d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.					
NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.					
SEND ALL CORRESPONDENCE TO CUSTOMER NO. 07055 AT THE PRESENT ADDRESS OF:				01/25/2007 01 FC:1617 00000032 10575900 130.00 OP	
Bruce H. Bernstein GREENBLUM & BERNSTEIN, P.L.C. 1950 Roland Clark Place Reston, VA 20191 (703) 716-1191				SIGNATURE Bruce H. Bernstein NAME 42,920 29,027 REGISTRATION NUMBER	

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Atsushi MIYAWAKI et al.

Mail Stop PCT
Confirmation No. 5555

Appl. No. : 10/575,900
(National Stage of PCT/JP2004/015671)

I. A. Filed : October 15, 2004

For : FLUORESCENT INDICATOR USING FRET

COVER LETTER

Mail Stop PCT
Commissioner for Patents
U.S. Patent and Trademark Office
Customer Service Window, Mail Stop PCT
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Sir:

In order to comply with the requirements (copy enclosed) for the submission of an executed Declaration set forth in the Notification mailed December 21, 2006 which sets a two-month period of response until February 21, 2007, Applicants hereby submit:


- Transmittal Letter to the United States Designated/Elected Office Concerning a Filing Under 35 U.S.C. 371;
- an executed Declaration and Power of Attorney;
- a check in the amount of \$130.00 to cover the surcharge for late filing of the Declaration.

The U.S. Patent and Trademark Office is hereby authorized to charge any additional fees or credit any overpayment to Deposit Account No. 19-0089.

P29777.P06

Should the Examiner have any questions, he is invited to contact the undersigned at the below-listed number.

Respectfully submitted,
Atsushi MIYAWAKI et al.


Bruce H. Bernstein
Reg. No. 29,027 42,920

January 19, 2007
GREENBLUM & BERNSTEIN, P.L.C.
1950 Roland Clarke Place
Reston, VA 20191
(703) 716-1191



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/575,900	Atsushi Miyawaki	P29777

INTERNATIONAL APPLICATION NO.

PCT/JP04/15671

I.A. FILING DATE

10/15/2004

PRIORITY DATE

10/15/2003

7055

GREENBLUM & BERNSTEIN, P.L.C.
 1950 ROLAND CLARKE PLACE
 RESTON, VA 20191

RECEIVED

DEC 22 2006

GREENBLUM & BERNSTEIN PLC

CONFIRMATION NO. 5555

371 FORMALITIES LETTER



OC000000021674179

Date Mailed: 12/21/2006

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 04/14/2006
- English Translation of the IA filed on 04/14/2006
- Copy of the International Search Report filed on 04/14/2006
- Copy of IPE Report filed on 04/14/2006
- Preliminary Amendments filed on 04/14/2006
- Oath or Declaration filed on 04/14/2006
- Request for Immediate Examination filed on 04/14/2006
- U.S. Basic National Fees filed on 04/14/2006
- Priority Documents filed on 04/14/2006

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.
<https://portal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

CHARITTA A BURT

Telephone: (703) 308-9140 EXT 207

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/575,900	PCT/JP04/15671	P29777

FORM PCT/DO/EO/905 (371 Formalities Notice)